

IN THE UNITED STATES DISTRICT COURT

FEB 24 2022

FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AMBER YAZZIE,
GREGORY YAZZIE,
RANDY JOE, and
CHADYNE TOHE,

Defendants.

CRIMINAL NO. 22-298 JB

Count 1: 18 U.S.C. § 1951(a):
Interference with Interstate Commerce by
Robbery and Violence; 18 U.S.C. § 2:
Aiding and Abetting;

Counts 2 and 5: 18 U.S.C.
§ 924(c)(1)(A)(iii): Using and Carrying a
Firearm During and in Relation to a Crime
of Violence, and Possessing a Firearm in
Furtherance of Such Crime; Discharging
Said Firearm;

Count 3: 18 U.S.C. § 924(c)(1)(A)(i):
Using and Carrying a Firearm During and in
Relation to a Crime of Violence, and
Possessing a Firearm in Furtherance of Such
Crime; and

Count 4: 18 U.S.C. §§ 1153 and 113(a)(3):
Assault with a Dangerous Weapon.

INDICTMENT

The Grand Jury charges:

Count 1

On or about December 4, 2021, in McKinley County, in the District of New Mexico, the defendants, **AMBER YAZZIE, GREGORY YAZZIE, RANDY JOE, and CHADYNE TOHE**, unlawfully obstructed, delayed and affected commerce, and attempted to unlawfully obstruct, delay, and affect, commerce, and the movement of articles and commodities in such commerce, by robbery, in that the defendant unlawfully took and obtained personal property consisting of U.S. currency, from the person and in the presence of Jane Doe 1, Jane Doe 2, and

Jane Doe 3, then employed by C+R Insurance, against their will by means of actual and threatened force, violence, and fear of injury, that is, the defendants threatened Jane Doe 1, Jane 2, or Jane Doe 3 with a firearm.

In violation of 18 U.S.C. § 1951(a).

Count 2

On or about December 4, 2021, in McKinley County, in the District of New Mexico, the defendant, **AMBER YAZZIE**, knowingly used and carried a firearm, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, specifically, robbery as charged in Count 1 of this indictment, and possessed said firearm in furtherance of such crime, and the firearm was discharged.

In violation of 18 U.S.C. § 924(c)(1)(A)(iii).

Count 3

On or about December 4, 2021, in McKinley County, in the District of New Mexico, the defendant, **GREGORY YAZZIE**, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, specifically, robbery as charged in Count 1 of this indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed said firearm.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

Count 4

On or about December 6, 2021, in Indian Country, in McKinley County, in the District of New Mexico, the defendant, **AMBER YAZZIE**, an Indian, assaulted John Doe with a dangerous weapon, specifically, a firearm, with intent to do bodily harm.

In violation of 18 U.S.C. §§ 1153 and 113(a)(3).

Count 5

On or about December 6, 2021, in McKinley County, in the District of New Mexico, the defendant, **AMBER YAZZIE**, knowingly used and carried a firearm, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, specifically, assault with a dangerous weapon as charged in Count 4 of this indictment, and possessed said firearm in furtherance of such crime, and the firearm was discharged.

In violation of 18 U.S.C. § 924(c)(1)(A)(iii).

FORFEITURE ALLEGATION

Upon conviction of any offense in violation of 18 U.S.C. § 924(c), the defendants, **AMBER YAZZIE** and **GREGORY YAZZIE**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any ammunition involved in the commission of the offense, including, but not limited to:

- a. various magazines and ammunition seized from the vehicles searched on December 27, 2021 and from the premises of 128 Bosson Wash Road, Vanderwagen, New Mexico searched on December 9, 2021.

A TRUE BILL:


Assistant United States Attorney

151
FOREPERSON OF THE GRAND JURY